




Kildare County Council

Craddockstown Road / Ballycane Road Improvement Scheme

REPORT ON PARTICULARS OF SCHEME TO BE MADE AVAILABLE FOR PUBLIC DISPLAY

(In accordance with Section 179 3(b) of the Planning and Development Acts, 2000 – 2017 and Part 8 of the Planning and Development Regulations 2001 – 2017)

Kildare County Council Aras an Chontae Devoy Park Naas W91 X77F	 19044-R-P8 Issue PL1	Kilgallen & Partners Consulting Engineers Well Road, Portlaoise Co. Laois
--	---	--

REVISION HISTORY

Client	Kildare County Council
Scheme	Craddockstown Road / Ballycane Road Improvement Scheme
Title	Report on Particulars of Scheme to be made available for Public Display

Date	Details of issue	Issue No.	Origin	Checked	Approved
13/06/22	Initial issue	PL1	PB	MK	MK

TABLE OF CONTENTS

1. Introduction	1
2. Need for Scheme	3
2.1 Description of existing infrastructure.....	3
2.2 Need for Scheme.....	4
3. Planning Context	5
4. Context and Design Standards for Scheme	7
5. Description of Scheme	9
5.1 General.....	9
5.2 Finished level relative to existing ground level	9
5.3 Surface Water Drainage.....	10
5.4 Existing Utilities.....	10
5.5 Environmental Operating Plan	10
6. Land Acquisition	11
6.1 Land acquisition	11
6.2 Rights of Way	11
7. Environmental Assessment	12
7.1 AA Screening	12
7.2 EIA Screening	12

Appendix A	EIA Screening
	AA Screening

1. INTRODUCTION

In accordance with Part XI, Section 179 of the Planning and Development Act 2000 as amended, and Part VIII, Article 80 & 81 of the Planning and Development Regulations 2001 as amended, Kildare County Council has given notice of its intention to carry out development [‘the Scheme’] comprising improvement works to the Ballycane Road and the Craddockstown Road in Naas [‘the Site’].

This report is prepared for inclusion with the Plans and Particulars being made available for public inspection in accordance with the above Act and Regulations. It describes the need for and objectives of the Scheme and provide a detailed description of it.

This report is to be read in conjunction with the following drawings which show details of the Scheme and which, along with this Report, will also be made available for public inspection:

Drawing No	Title
Drawing No. 19044-DR-P8-01	Site Location Map
Drawing No. 19044-DR-P8-02	General Layout and Typical Section

Table 1-1 Drawings Made Available for Inspection

Craddockstown Road / Ballycane Road Improvement Scheme



Figure 1-1 Location Map

2. NEED FOR SCHEME

2.1 Description of existing infrastructure

The Scheme is located entirely within a 50 km/h speed limit zone.

Ballycane Road

The Ballycane Road forms part of a radial road that connects the R445 / Newbridge Road southwest of Naas with the R410 / Blessington Road east of Naas.

Near its junction with Craddockstown Road, the cross-section of the Ballycane Road comprises a 7.3m carriageway with grass verge and footway on both sides. There are no dedicated cycle facilities. The carriageway width increases locally to provide turning lanes at the Crossroads.

Ballycane Road / Craddockstown Road Junction

The Ballycane Road / Craddockstown Road is signalised and includes pedestrian-actuated crossing points.

A survey of traffic movements at the Ballycane Road / Craddockstown Road junction was carried out on Thursday, 12th September 2019. The results of this survey are summarised in matrix form in Table 2-1.

OD Matrix		From				Total
		Ballycane Road North	Craddockstown Road East	Ballycane Road South	Craddockstown Road West	
To	Ballycane Road North	0	849	3,803	1,368	6,020
	Craddockstown Road East	898	0	511	285	1,694
	Ballycane Road South	3,642	454	0	644	4,740
	Craddockstown Road West	2,121	379	656	0	3,157
	Total	6,661	1,682	4,970	2,297	

Table 2-1 Matrix of Traffic Flows at Ballycane Road / Craddockstown Road Junction

Craddockstown Road

The Craddockstown Road is a local road that runs along a northwest – southeast axis, starting at the Ballymore Road junction close to the centre of Naas and ending approximately 2.8 km south east of Naas at a priority junction with another local road near Punchestown Racecourse.

Between the Ballycane Road and the school campus, the road cross-section comprises a 6.0m wide carriageway with a footway, typically 2.0m wide, on both sides. The horizontal and vertical alignment is reasonably consistent, with no sharp curves or hidden dips. East of the school campus the Craddockstown Road changes to an unimproved rural road with little or no development.

A new school campus, comprising Naas Community College and Naas Community National School, opened on the Craddockstown Road in 2014. The campus is located approximately 300m southeast of the junction of the Ballycane Road and Craddockstown Road.

2.2 Need for Scheme

There are no dedicated facilities for cyclists on either Ballycane Road or Craddockstown Road.

Given the number and scale of residential estates in this area, there is a general need for a Scheme which:

- (i) provides appropriate facilities for cyclists;
- (ii) maintains facilities for motorised vehicles;
- (iii) Maintain and, if possible, improves existing facilities for pedestrians and other vulnerable road users.

This need is made urgent by the recently constructed school campus on Craddockstown Road.

3. PLANNING CONTEXT

Development in Kildare must be carried out in accordance with the Kildare County Development Plan (CDP) 2017 – 2023. Section 6 of the Development Plan sets out Kildare County Council’s policies and objectives regarding movement and transportation.

The stated aim for movement and transportation is to promote ease of movement within and access to County Kildare, by integrating sustainable land use planning with a high quality integrated transport system; to support improvements to the road, rail and public transport network, together with cycleway and pedestrian facilities and to provide for the sustainable development of aviation travel within the county in a manner which is consistent with the proper planning and sustainable development of the county.

The Development Plan identifies Kildare County Council’s commitment to supporting sustainable forms of transport such as public transport, walking and cycling;

The Development Plan includes the specifically stated policies listed in Table 3-1.

No.	Policy
MT1	Promote the sustainable development of the county through the creation of an appropriately phased integrated transport network that services the needs of communities and businesses.
MT4	Develop sustainable transport solutions within and around the major towns in the county that encourage a transition towards more sustainable modes of transport, whilst also ensuring sufficient road capacity for trips which continue to be taken by private vehicles.
MT11	Focus on improvements to the local road and street network that better utilise existing road space and encourage a transition toward more sustainable modes of transport, while ensuring sufficient road capacity exists for trips which will continue to be taken by private vehicle.
WC1	Prioritise sustainable modes of travel by the development of high-quality walking and cycling facilities within a safe street environment.
WC2	Promote the development of safe and convenient walking and cycling routes.
WC3	Ensure that connectivity for pedestrians and cyclists is maximised in new communities and improved within the existing areas in order to maximise access to town centres, local shops, schools, public transport services and other amenities.
WC4	Ensure that all new roads and cycle routes implement the National Cycle Manual, with a focus on a high level of service for cyclists and encouraging a modal shift from car to cycling
WC7	Provide for safer routes to schools within the county and promote walking and cycling as suitable modes of transport as part of the Green Schools Programme and other local traffic management improvements.
WC 9	Minimise wait-times for pedestrians and cyclists at junctions.

Table 3-1 Stated Policies

The Development Plan includes the objectives listed in Table 3-2.

No.	Objectives
WCO 2	Seek funding to develop Local Permeability Schemes in established areas in order to promote active modes of travel in conjunction with the NTA.
WCO 3	Carry out local traffic management improvements to provide safer routes to schools in order to encourage students, where possible, to walk and cycle as a sustainable alternative to the car. These improvements may be carried out in conjunction with the NTA, through the Sustainable Transport Management Grants Scheme.
WCO 8	Actively support the implementation of the National Cycle Policy Framework, with a focus on encouraging a modal shift from vehicular to cycling modes.

Table 3-2 Stated Objectives

The Scheme thus complies with the policies and objectives of the County Development Plan.

4. CONTEXT AND DESIGN STANDARDS FOR SCHEME

Standard

As it is located in a 50 km/h speed limit zone, the design standard for the Scheme is the Design Manual for Urban Roads and Streets [DMURS] published by the Department of Transport Tourism and Sport. In addition, reference is also made to the Traffic Management Guidelines and the National Cycle Manual.

Context and Function

Both Ballycane Road and Craddockstown Road are considered to be urban roads with arterial functions as defined in DMURS.

Design Speed

In accordance with DMURS, the Design Speed for the Scheme shall be the posted speed limit, i.e. 50 km/h.

Carriageway Width on Craddockstown Road

In accordance with DMURS Section 4.4.1, the design carriageway width on Craddockstown Road shall be 6.0m.

Footway Width

Generally, the Craddockstown Road and Ballycane Road have low to moderate pedestrian activity. As is to be expected, pedestrian movements are not constant throughout the day and increase at school start and finish times. However even at these times pedestrian movements remain moderate. Table 4-1 shows the pedestrian movements recorded over a 24 hour period on Thursday, 12th September 2019.

Route	Pedestrians
Ballycane Road North	442
Craddockstown Road East	113
Ballycane Road South	133
Craddockstown Road West	168

Table 4-1 Pedestrian Movements recorded over a 24 hour period

In areas of low to moderate pedestrian activity, DMURS (Section 4.3) recommends, for two people to pass comfortably, 2.5m as a desirable footway width and 1.8m as a minimum width.

Provision of 2.5m wide footways throughout the Scheme will increase the requirement for land acquisition. Reducing footway widths at selected locations to reduce land acquisition is not desirable since it leaves footways of continually varying widths. The Scheme will therefore provide 2.0m wide footways throughout, slightly greater than the minimum recommended by DMURS.

Width for cycle facilities

Minimum widths for cycle facilities are determined in accordance with the National Cycle Manual and as shown in Tables 4-2 to 4-4.

Craddockstown Road / Ballycane Road Improvement Scheme

		minimum
Inside Edge	Kerb	0.25m
Cycling regime	Single File	0.75m
Outside Edge	50 km/h carriageway	0.75m
Additional Feature	Proximity to Primary School	0.25m
Total		2.00m

Table 4-2 Widths for Raised Cycle Track – One Way

		minimum
Inside Edge	Kerb	0.25m
Cycling regime	Single File	0.75m
Outside Edge	50 km/h carriageway	0.75m
Additional Feature	Proximity to Primary School	0.25m
Total		2.00 m

Table 4-3 Widths for Cycle Lane – One Way

		minimum	preferred
Inside Edge	Kerb	0.25m	0.25m
Cycling regime	Two-way	1.75m	1.75m
Outside Edge	50kph 3.0m wide	0.75m	0.75m
Additional Feature	Proximity to Primary School	0.25m	0.25m
	Buffer		0.7m
Total		3.0m	3.7m

Table 4-4 Widths for Raised Cycle Track – Two WayCrossing facilities

Toucan crossing facilities will be provided on all approach arms to the Ballycane Road / Craddockstown Road Junction and on the Craddockstown Road at the school campus.

5. DESCRIPTION OF SCHEME

5.1 General

A number of options were developed for the Scheme and a multi-criteria analysis was carried out to identify the preferred option. This preferred option is as shown on the Scheme drawings referred to in Section 1.

The Scheme proposes the realignment of the Craddockstown Road between its junction with the Ballycane Road and the entrance to the school campus. The realigned carriageway will be 6.0m wide, consistent with the existing width.

A two-way cycle track will be provided on the northern side of Craddockstown Road along the entire length of the realignment.

A 2.0m wide footway will be provided on both sides of the Craddockstown Road along the entire length of the realignment

The existing pedestrian crossings at the Crossroads and at the access to the school campus will be upgraded to Toucan Crossings.

The Scheme requires third-party lands from properties on the southern side of Craddockstown Road. Other than this, only lands within the public road will be required. Accommodation Works will be carried out to mitigate impacts on private lands.

Table 5-1 set outs the performance of the Scheme when measured against the factors giving rise to the need for the Scheme.

Objective	Performance	Achieves Objective
Provide appropriate facilities for cyclists	Provides cycle facilities in accordance with the National Cycle Manual along the full length of Craddockstown Road.	Yes
Maintain the facilities for motorised vehicles	The Scheme improves the carriageway over a 200m length of the Craddockstown Road and elsewhere maintains existing carriageway widths. By removing cyclists from the carriageway, the Scheme provides a positive impact for motorised vehicles.	Yes
Maintain and if possible improve existing facilities for pedestrian and other vulnerable road users.	No qualitative change in pedestrian facilities. By removing cyclists from footways, the Scheme will have a slight positive impact for pedestrians. The installation of a Toucan Crossing at the school will have a positive impact for pedestrians.	Yes

Table 5-1

5.2 Finished level relative to existing ground level

The finished level of the Scheme will be largely at-grade; i.e. the finished level will be at or close to existing ground level.

Therefore, the Scheme does not require neither significant excavation nor significant build-up above existing ground level.

5.3 Surface Water Drainage

Surface water run-off from the proposed development will discharge to the existing surface water drainage system serving the existing road network.

5.4 Existing Utilities

Where feasible, existing overhead utilities will be relocated underground.

5.5 Environmental Operating Plan

The proposed development will be constructed in accordance with a Construction Environmental Operating Plan complying with 'Guidelines for the Creation and Maintenance of an Environmental Operating Plan' (TII) and 'The Management of Waste from National Road Construction Projects' (TII).

6. LAND ACQUISITION

6.1 Land acquisition

Kildare County Council has sought to minimise the impact of the Scheme on local residents and landowners in so far as is reasonably practicable.

The Scheme requires third-party lands from properties on the southern side of Craddockstown Road. Other than this, only lands within the public road will be required.

Accommodation Works will be carried out to mitigate impacts on private lands.

6.2 Rights of Way

The Scheme does not propose the elimination of any rights of way.

7. ENVIRONMENTAL ASSESSMENT

7.1 AA Screening

Screening Report

An Appropriate Assessment Screening Report was prepared to assist the relevant authority (Kildare County Council) in forming an opinion as to whether or not the Scheme requires a Natura Impact Assessment.

The Appropriate Assessment (AA) Screening Report was carried out in accordance with the document 'Assessment of plans and projects significantly affecting Natura 2000 sites: methodological guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC' (Oxford Brooks University, 2001) with the requirements of Article 6 of the EU Habitats Directive (Directive 92/43/EEC). This report and any contributory fieldwork were carried out in accordance with guidelines given by the Department of Environment, Heritage and Local Government (2009, amended 2010).

The process is given in Articles 6(3) and 6(4) of the Habitats Directive and is commonly referred to as 'Appropriate Assessments' (which in fact refers to Stage 2 in the sequence under the Habitats Directive Article 6 assessment). Article 6 of the Habitats Directive sets out provisions which govern the conservation and management of Natura 2000 sites. Article 6(3) and 6(4) of the Habitats Directive set out the decision-making tests for plans and projects likely to affect Natura 2000 sites (Annex 1.1). Article 6(3) establishes the requirement for Appropriate Assessment.

The AA Screening Report concluded that no impacts are likely because of the Scheme on the conservation objectives or overall integrity of any Natura 2000 Site and accordingly Appropriate Assessment is not required. A copy of the report is provided in Appendix A.

7.2 EIA Screening

Screening Report

An EIA Screening Report was prepared to assist the relevant authority (Kildare County Council) in forming an opinion as to whether the Scheme should be subject to Environmental Impact Assessment (EIA) and if so whether an Environmental Impact Assessment Report (EIAR) should be prepared in respect of it.

The screening process included an assessment of the details of the Scheme with reference to the relevant EIA legislation including the Planning & Development Regulations 2001 (as amended by Planning and Development Regulations 2015), the EIA Directive 2011/92/EU (as amended by Directive 2014/52/EU) and relevant EU Guidance including Interpretation of definitions of project categories of annex I and II of the EIA Directive, EU, 2015 and Environmental Impact Assessment of Projects Guidance on Screening, EU, 2017.

The overall conclusion of the screening exercise was that there should be no specific requirement for a full Environmental Impact Assessment of the Scheme. A copy of the report is provided in Appendix A.

APPENDIX A

EIA Screening

Proposed Cycle Route, Craddockstown, Naas

EIAR Screening Report

June 2022

Project number: 2022s0505

Kildare County Council

Final

A large, abstract graphic on the right side of the page, consisting of several overlapping, diagonal bands of parallel lines. The top band is teal, the middle band is white, and the bottom band is a light green. The lines are spaced evenly and create a sense of depth and movement.

JBA Project Manager

Bernadette O'Connell
 Unit 8, Block 660
 Greenogue Business Plaza
 Rathcoole
 Dublin
 D24 YN81

Revision History

Revision Ref / Date Issued	Amendments	Issued to
S3-P01	Draft Report	Kildare County Council
A3-C01 / 09/06/2022	Final Report	Kildare County Council

Contract

This report describes work commissioned by Kildare County Council, by an email dated 25/04/2022. Conor O'Neill of JBA Consulting carried out this work.

Prepared by Conor O'Neill B.A. (Mod.) M.Sc.
 Assistant Environmental Scientist

Reviewed by Emily Rick BSc(Env) MSc
 Environmental Scientist

Purpose

This document has been prepared as a Final Report for Kildare County Council ('the Client'). JBA Consulting accepts no responsibility or liability for any use that is made of this document other than by the Client for the purposes for which it was originally commissioned and prepared.

JBA Consulting has no liability regarding the use of this report except to Kildare County Council.

Copyright

© JBA Consulting Engineers and Scientists Limited 2022

Carbon Footprint

A printed copy of the main text in this document will result in a carbon footprint of 115g if 100% post-consumer recycled paper is used and 147g if primary-source paper is used. These figures assume the report is printed in black and white on A4 paper and in duplex.

JBA is aiming to reduce its per capita carbon emissions.

Contents

1	Introduction	2
1.1	Purpose of this Report	2
2	Description of Proposed Works	3
2.1	Site Location	3
2.2	Proposed Development.....	3
3	Purpose of Screening	5
3.1	Legislative Context for EIAR in Ireland.....	5
3.2	The Planning and Development Act 2000 - Mandatory EIAR	5
3.3	The Roads Act 1993 (as amended) - Mandatory EIAR	6
3.4	Sub-threshold EIAR	7
4	Overview of Environmental Impacts	8
4.1	Population and Human Health	8
4.2	Biodiversity.....	8
4.3	Soils and Geology	8
4.4	Hydrology and Hydrogeology	9
4.5	Cultural Heritage	9
4.6	Air and Climate.....	9
4.7	Noise and Vibration.....	10
4.8	Landscape and Visual.....	10
4.9	Material Assets including Traffic, Utilities, and Waste	10
4.10	Cumulative Impacts.....	10
5	Screening Assessment	12
5.1	Characteristics of the Proposed Development	12
5.2	Location of the Proposed Development	14
5.3	Characteristics of Potential Impacts	16
6	Conclusions and Recommendations	18

List of Figures

Figure 2.1: Proposed route location	3
Figure 2.2: Cross section of proposed works	4

List of Tables

Table 3.1: Mandatory EIA for road projects, adapted from NRA (2008)	6
Table 4.1: Natura 2000 sites within the Zol of the proposed development	8
Table 4.2: Matrix of vulnerability versus flood zone to illustrate appropriate development and that required to meet the Justification Test (Kildare SFRA)	9
Table 5.1: Characteristics of the proposed development	12
Table 5.2: Location of the proposed development	14
Table 5.3: Characteristics of potential impacts	16

Abbreviations

- AA - Appropriate Assessment
- CEMP - Construction and Environmental Management Plan
- EIAR - Environmental Impact Assessment Report
- KCC - Kildare County Council
- LAP - Local Area Plan
- NIAH - National Inventory of Architectural Heritage
- NMS - National Monuments Service
- RPS - Record of Protected Structures
- SFRA - Strategic Flood Risk Assessment
- WFD - Water Framework Directive

1 Introduction

JBA Consulting Engineers and Scientists Ltd. (hereafter JBA) has been commissioned by Kildare County Council to prepare an EIAR Screening Report for a proposed cycle route along Craddockstown Road, from the Craddockstown Road/Ballycane Road Junction to the Naas Community National School (the 'proposed development'). The proposed development consists of a 3.0m wide two-way cycle track on one side of the road only, separated from the carriageway by a concrete kerb.

1.1 Purpose of this Report

The purpose of this report is to identify whether there is a need under the Planning and Development Act 2000, as amended, or under the Roads Act (1993-2016), for an EIAR for the proposed development.

Schedule 5 (Parts 1 and 2) of the Planning and Development Act lists the groups of development projects which are subject to EIAR screening under the EIA Directive 2011/92/EU, as amended by Directive 2014/52/EU. Part 1 lists those projects which are automatically subject to an EIAR due to the scale and nature of the project. Part 2 lists projects which are also likely to have significant environmental effects based on the nature and size of the development set out by threshold criteria.

An additional group of projects, which are considered sub-threshold developments under Part 2, may fall below the thresholds set but may, under further analysis, be deemed to have significant effects due to their location within a catchment, size, or proximity to sensitive areas.

Section 50 of the Roads Act lists the groups of road development projects which are subject to EIAR screening under the EIA Directive 2011/92/EU, as amended by Directive 2014/52/EU. Part 1 (a) of the Act lists those projects which are automatically subject to an EIAR due to the scale and nature of the project. Parts 1 (b-d) list projects which are also likely to have significant environmental effects based on the nature and size of the development set out by threshold criteria. If such projects are found likely to have significant environmental effects, An Bord Pleanála may direct the road authority to prepare an environmental impact assessment.

This report documents the methodology employed to determine whether the proposed development falls under any of these groups, and therefore will have significant environmental impacts. Rationale has been given for the decision made in reference to the relevant legislation, and additional documents have been referenced where required.

This report is intended for the project as described below. Any significant changes to the project description or location would require preparation of a new EIAR screening report.

An Appropriate Assessment (AA) Screening Report has been prepared by APEM Ltd and has identified any potential impacts to Natura 2000 sites and protected landscapes. This EIAR Screening document, along with the AA Screening Report, will be submitted as part of the Part 8 planning process for the proposed development.

2 Description of Proposed Works

2.1 Site Location

The location for the development is the Craddockstown Road, Naas, Co. Kildare, between the Craddockstown Road/Ballycane Road Junction and Naas Community National School. The proposed two-way cycle route will run along the east side of Craddockstown Road.

2.2 Proposed Development

The proposed route is shown in Figure 2.1.

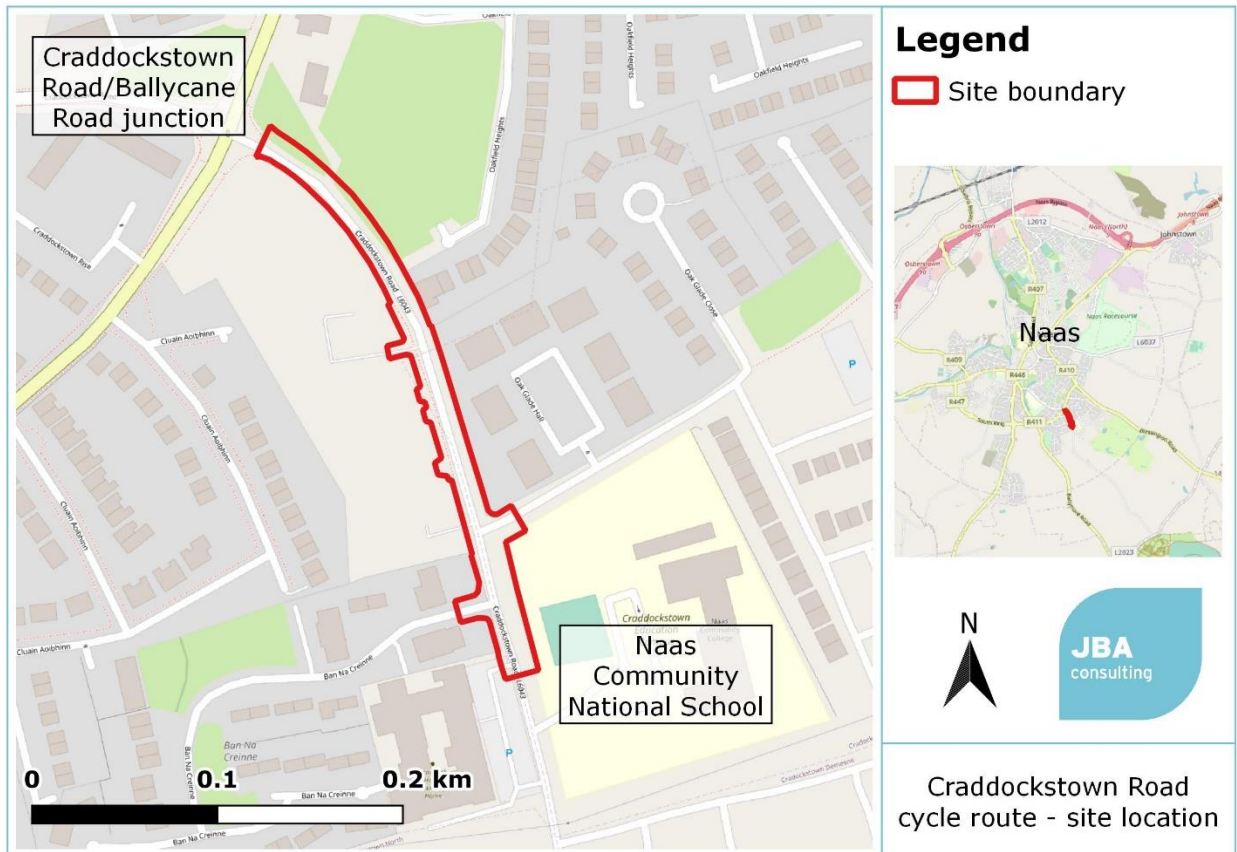


Figure 2.1: Proposed route location

The proposed development will run along the eastern side of the existing road, with a low kerb providing separation between the cycle route and the carriageway. The scheme is approximately 325m in length.

A layout and cross section of the proposed development is shown in Figure 2.2.

The proposed development will tie in to the Ballycane Road/Craddockstown Road junction, which is to be improved under a separate scheme. On its southern end, the scheme will tie into the existing footway and cycle track on Oak Glade Close, and existing footway and cycle track in front of the National School.

The scheme will require 3rd party lands from four properties on the western side of the road. The boundary details of these lands will be agreed with the affected landowners.

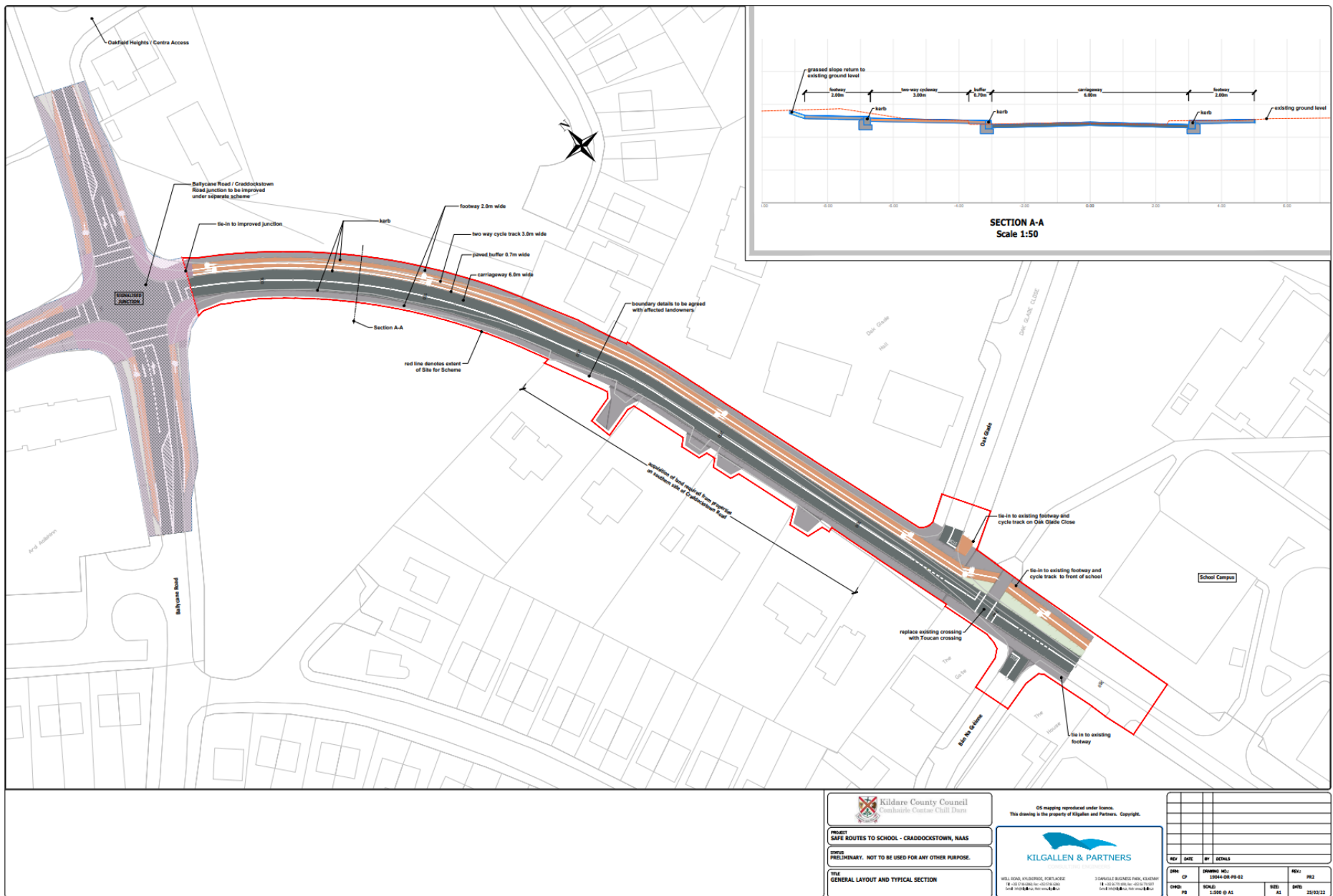


Figure 2.2: Cross section of proposed works

3 Purpose of Screening

3.1 Legislative Context for EIAR in Ireland

The EU has set out mandatory requirements for Environmental Impact Assessments under the EIA Directive 2011/92/EU (as amended by Directive 2014/52/EU). The Directive identifies certain project types, described under Annex I, that will always have significant environmental effects due to their nature and size. These projects are required to undergo an EIAR in every Member State.

For projects listed under Annex II, the EIA Directive gives Member States discretion to decide the limits of projects requiring an EIAR. In Ireland, mandatory thresholds have been set for projects that would otherwise fall under Annex II, which are described in Schedule 5 of The Planning and Development Regulations 2001 as amended, and in Section 50, Parts 1 (b-d) of The Roads Act 1993, as amended. These thresholds are based on project characteristics including size and location. Projects within these thresholds are always subject to an EIAR. In some circumstances, projects considered below the thresholds set under Schedule 5 Part 2 of the Planning and Development Act, or under Section 50 Parts 1 (b-d) of the Roads Act may still be considered by the Planning Authority to have significant effects on the environment, such as in cases where the projects are in a location of particular environmental sensitivity and may also be subject to an EIAR. These sub-threshold projects are reviewed by the Planning Authority on a case-by-case basis.

The principal legislation under which an EIAR may be undertaken for various developments is The Planning and Development Act 2000, as amended, and for road developments is The Roads Act, 1993, as amended. Further regulations are explained in The Planning and Development (Environmental Impact Assessment) Regulations 2001-2018, and the European Union (Roads Act 1993) (Environmental Impact Assessment) (Amendment) Regulations 2019.

Legislation is examined below as to whether an EIAR will be required for this project.

3.2 The Planning and Development Act 2000 - Mandatory EIAR

The Planning and Development Act 2000, as amended, Section 172 sets out the types of projects that require an Environmental Impact Assessment Report (EIAR):

An environmental impact assessment shall be carried out by the planning authority or the Board, as the case may be, in respect of an application for consent for proposed development where either:

- a. the proposed development would be of a class specified in
 - i. Part 1 of Schedule 5 of the Planning and Development Regulations 2001, and either-
 - I. such development would exceed any relevant quantity, area or other limit specified in that Part, or
 - II. no quantity, area or other limit is specified in that Part in respect of the development concerned, or
 - ii. Part 2 of Schedule 5 of the Planning and Development Regulations 2001 and either-
 - I. such development would exceed any relevant quantity, area or other limit specified in that Part, or
 - II. no quantity, area or other limit is specified in that Part in respect of the development concerned, or
- b.
 - i. the proposed development would be of a class specified in Part 2 of Schedule 5 of the Planning and Development Regulations 2001 but does not exceed the relevant quantity, area or other limit specified in that Part, and
 - ii. the planning authority or the Board, as the case may be, determines that the proposed development would be likely to have significant effects on the environment.

3.2.1 Part 1 of Schedule 5 of the Planning and Development Regulations 2001-2018

Projects which fall under Schedule 5, Part 1 are typically large infrastructure and energy projects and by their nature will always have significant environmental effects. The proposed cycle route does not fall under Schedule 5, Part 1.

3.2.2 Part 2 of Schedule 5 of the Planning and Development Regulations 2001-2018

The proposed development does not fall under any categories in Part 2 of Schedule 5.

3.3 The Roads Act 1993 (as amended) - Mandatory EIAR

The relevant summaries of legislative requirements for EIAR Screening for road developments are set out in Table 3.1 below. A cycleway is defined as a public road reserved for the exclusive use of cyclists and pedestrians, as per Section 68 of the Roads Act, 1993.

Table 3.1: Mandatory EIA for road projects, adapted from NRA (2008)

Mandatory		Regulatory Reference
1) Construction of a motorway		S. 50(1)(a)(i) of the Roads Act, 1993, as substituted by S.I. No. 279/2019
2) Construction of a busway		S. 50(1)(a)(ii) of the Roads Act, 1993, as substituted by S.I. No. 279/2019
3) Construction of a service area		S. 50(1)(a)(iii) of the Roads Act, 1993, as substituted by S.I. No. 279/2019
4) Any prescribed type of road development consisting of the construction of a public road or the improvement of an existing road, namely:	The construction of a new road of four or more lanes, or the realignment or widening of an existing road so as to provide four or more lanes, where such new, realigned or widened road would be eight kilometres or more in length in a rural area, or 500 metres or more in length in an urban area;	Article 8 of the Roads Regulations, 1994 (Road development prescribed for the purposes of S. 50(1)(a) of the Roads Act, 1993)
	The construction of a new bridge or tunnel which would be 100 metres or more in length.	

Mandatory		Regulatory Reference
(5) Where An Bord Pleanála (ABP) considers that a proposed road development would be likely to have significant effects on the environment it shall direct the road authority to prepare an EIS.		S. 50(1)(b) of the Roads Act, 1993
(6) Where a road authority considers that a proposed road development would be likely to have significant effects on the environment it shall inform ABP in writing and where ABP concurs it shall direct the road authority to prepare an EIS.		S. 50(1)(b) of the Roads Act, 1993
(7) In particular, where a proposed development (other than development to which paragraph (a) applies) consisting of the construction of a proposed public road or the improvement of an existing public road would be located on	(i) a European Site within the meaning of Regulation 2 of the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011),	S. 50(1)(d) of the Roads Act, 1993, as inserted by Art. 14(a) of the EIA (Amendment) Regulations, 1999.
	(ii) land established or recognised as a nature reserve within the meaning of section 15 or 16 of the Wildlife Act 1976 (No. 39 of 1976),	
	(iii) land designated as a refuge for fauna or flora under section 17 of the Wildlife Act 1976 (No. 39 of 1976), or	

	(iv) land designated a natural heritage area under section 18 of the Wildlife (Amendment) Act 2000	
--	--	--

The proposed development will consist of limited repaving and realignment of sections of roadway in order to create a cycle route. The proposed scheme does not fall under any of the categories outlined above. Therefore, an EIAR has not been automatically triggered for this proposed development.

3.4 Sub-threshold EIAR

In accordance with the requirement to submit an EIAR with sub-threshold planning application (Article 103 of the Planning and Development Regulations 2001-2018), where a planning application for sub-threshold development is not accompanied by an EIAR, and the Planning Authority considers that the development is likely to have significant effects on the environment it shall, by notice in writing, require the applicant to submit an EIAR. This process therefore occurs after submission of an application, if that application is not accompanied by an EIAR.

The decision as to whether a development is likely to have 'significant effects' on the environment must be taken with reference to the criteria set out in Schedule 7A of the Planning and Development Regulations 2001-2018. Schedule 7A requires that the following information be provided for the purposes of screening sub-threshold development for EIAR:

1. A description of the proposed development, including in particular—
 - a) a description of the physical characteristics of the whole proposed development and, where relevant, of demolition works, and
 - b) a description of the location of the proposed development, with regard to the environmental sensitivity of geographical areas likely to be affected.
2. A description of the aspects of the environment likely to be significantly affected by the proposed development.
3. A description of any likely significant effects, to the extent of the information available on such effects, of the proposed development on the environment resulting from—
 - a) the expected residues and emissions and the production of waste, where relevant, and
 - b) the use of natural resources, in particular soil, land, water and biodiversity.
 - c) The compilation of the information at paragraphs 1 to 3 shall take into account, where relevant, the criteria set out in Schedule 7 of the Planning and Development Regulations 2001-2018 (DHPLG 2018).

In order to assist planning and other consenting authorities in deciding if significant effects on the environment are likely to arise in the case of development below the national mandatory EIAR thresholds, the Minister for the Environment, Heritage and Local Government published a Guidance document in August 2003, the Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development and the Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (DHPLG 2018b)

The criteria, as transposed in Irish legislation, are grouped under three headings:

- i. Characteristics of Proposed Development
- ii. Location of Proposed Development
- iii. Characteristics of Potential Impacts

For the purposes of assessing if the development is likely to have significant effects on the environment in reference to these three parameters, the project is examined below in further detail.

4 Overview of Environmental Impacts

An overview of the potential environmental impacts of the development, according to theme presented in an EIAR, is provided below.

4.1 Population and Human Health

Once operational, the development will provide a positive impact to population and human health, by providing an attractive amenity for recreation and transport. The improvement of cycling infrastructure in the area will provide a higher level of safety for those using bicycles, and may induce others to use bicycles in the area.

During construction, there is a risk to the health and safety of workers on the development, as with any construction project. This will be mitigated against by the operational plans devised by the contractor.

Residences in the vicinity of the proposed development will experience some negative noise, visual, and nuisance impacts during the construction phase of the development. These will be temporary, and will be mitigated against by the operational plans devised by the contractor and adherence to standard best practice regarding control of noise and vibration, dust, and limitations on working hours.

The scheme will require the acquisition of land from four properties on the western side of the road. The boundary details of these acquisitions are to be agreed with the affected landowners.

4.2 Biodiversity

Ecological receptors that must be examined include protected Natura 2000 sites under the Habitats Directive (92/43/EEC) and Birds Directive (2009/147/EC), as well as species protected under the Wildlife Act (1976), and any ecological receptors which may be negatively impacted by the proposed development, both directly and indirectly.

4.2.1 Proximity to Protected Sites

An Appropriate Assessment (AA) Screening has been completed by APEM Ltd for this project to determine whether there is a potential for impacts on nearby Natura 2000 sites.

Those sites within the Zone of Influence of the proposed development are shown in Table 4.1.

The AA Screening determined that there are no likely significant impacts on any Natura 2000 sites as a result of the proposed development.

Table 4.1: Natura 2000 sites within the Zol of the proposed development

Natura 2000 site	Site Code	Distance from site
Red Bog Kildare SAC	000397	8km
Poulaphouca Reservoir SPA	004063	9km
Mouds Bog SAC	002331	9.3km

4.2.2 Other Ecological Receptors

The proposed route is for the most part on the existing artificial road surface. The acquisition of land from four properties on the western side of the road will require the removal of boundaries to the front of these gardens, which include hedgerow planting. This will not be significant given the extensive tree and hedgerow planting in gardens and on boundaries in the area.

4.3 Soils and Geology

The underlying bedrock of the site is composed of calcareous greywacke, siltstone and shale.

The subsoils underlying the site are mainly limestone sands and gravels, with a small section of cutover peat and made ground at the midway point.

4.4 Hydrology and Hydrogeology

4.4.1 Surface Water

The proposed site lies within the Water Framework Directive (WFD) Liffey and Dublin Bay catchment and Liffey_SC_060 sub-catchment (EPA, 2020). The route is not in close proximity to any surface watercourses, the closest being tributaries of the River Liffey approx. 450-500m distant. The watercourses are good to moderate status under the WFD, and under review.

The Kildare Strategic Flood Risk Assessment outlines a matrix of vulnerability versus flood zones for proposed developments (Table 4.2). Local transport infrastructure is listed as less vulnerable development in the SFRA. The proposed development is outside Flood Zones A and B. Therefore, the development is appropriate as per the SFRA.

During construction, there is the potential for emissions of dust and silt into surface waterways. This could therefore lead to a reduction in water quality if contamination reaches waterbodies. This is unlikely to occur given the distance from surface watercourses and the nature of proposed work. Standard protection measures will also be adhered to by the appointed contractor.

Once operational, the development is unlikely to result in surface water impacts.

Table 4.2: Matrix of vulnerability versus flood zone to illustrate appropriate development and that required to meet the Justification Test (Kildare SFRA)

	Flood Zone A	Flood Zone B	Flood Zone C
Highly vulnerable development	Justification Test	Justification Test	Appropriate
Less vulnerable development	Justification Test	Appropriate	Appropriate
Water compatible development	Appropriate	Appropriate	Appropriate

4.4.2 Groundwater

The groundwater body underlying the site is Kilcullen (IE_EA_G_003), which is good status and at risk.

Groundwater vulnerability, a measure of the likelihood of groundwater contamination occurring, is high across most of the site. Most of the site is therefore at high risk of groundwater contamination. Given the nature of the proposed works, this is not significant.

There are no Groundwater Zone of Contribution sites listed by the EPA near the development site, nor any drinking water sites with groundwater abstraction that are not on the groundwater quality monitoring network.

4.5 Cultural Heritage

There are no National Inventory of Architectural Heritage (NIAH) or National Monuments Service (NMS) sites within or adjacent to the proposed route, nor is the site within or in proximity to the Naas Architectural Conservation Area or Archaeological Zone of Potential, which are both approx. 1km north in Naas Town Centre.

Ballycane House, listed on the Naas Record of Protected Structures (RPS) is approx. 80m northwest of the scheme boundary, on the far side of the Ballycane Road/Craddockstown Road junction. It is a detached single-storey house currently in use as a childcare facility. This building will not be impacted by the proposed development.

4.6 Air and Climate

There is potential for impacts to air quality through emissions during the construction phase of the development, due to the operation of machinery on site and transport of materials to and from the site. These impacts will be temporary and mitigated against with measures outlined in the contractor's operating plans.

The proposed development will not give rise to any significant impacts on air quality or climate during operational period. The proposed development may lead to positive air and climate impacts by leading to an increase in cycling along the route, and a subsequent decrease in car use.

4.7 Noise and Vibration

There is potential for localised noise and vibration impacts to residential properties in the vicinity of the proposed development during the construction phase due to operation of machinery on site. These impacts would be temporary and only during the construction phase. Mitigation measures against such impacts will be outlined in the operating plans to be devised by the contractor.

The proposed development will not lead to any significant noise or vibration impacts during operational period. Any decrease in car use due to the proposed development would lead to a decrease in noise impacts from cars.

4.8 Landscape and Visual

The proposed development will give rise to temporary landscape or visual impacts to residents living in proximity to the development during the construction phase.

There are no protected views or scenic routes in the area. The site is in the Eastern Transition Landscape Character Area (LCA), as defined in the Kildare CDP. The LCA is of medium sensitivity, which according to the CDP has capacity to accommodate a range of uses without significant adverse landscape effects.

When constructed, the proposed development will be low in landscape and visual impact for surrounding landowners.

4.9 Material Assets including Traffic, Utilities, and Waste

4.9.1 Traffic

During construction, limited road closures or diversions will be necessary along the route. This will result in a temporary disruption for road users. Alternative routes are available in the area.

Once operational, the proposed development will have no negative impacts on traffic as the cycle route will be segregated from motor vehicles. The proposed route could have a positive impact on traffic as it will lead to an increase in trips by bicycle in the area.

4.9.2 Utilities

The proposed development will not require service diversions or the provision of services.

4.9.3 Waste

During construction, a waste management plan will be devised and implemented by the contractor on site. The volume of waste removed will dictate whether a Certificate of Registration (COR), permit or licence is required by the receiving facility. Once all available beneficial reuse options have been exhausted, the options of recycling and recovery at waste permitted and licensed sites will be considered.

Once operational, the proposed development will not generate waste.

4.10 Cumulative Impacts

4.10.1 Plans

Kildare County Development Plan 2017-2023

The proposed development is in line with the Kildare County Development Plan 2017-2023. It is an objective of the Council to support sustainable transport such as public transport, walking, and cycling. The proposed development is in line with the following walking and cycling objectives:

- WCO 3: Carry out local traffic management improvements to provide safer routes to schools in order to encourage students, where possible, to walk and cycle as a sustainable alternative to the car. These improvements may be carried out in conjunction with the NTA, through the Sustainable Transport Management Grants Scheme.

4.10.2 Projects

Larger development planning applications in the near vicinity from the last three years that have been granted permission are listed below. Applications for home extensions, internal alterations and retention are not considered.

Planning Application Reference		19515
Development address	Naas Community College, Craddockstown Road, Craddockstown North, Naas, Co. Kildare	
Description: The erection of a proposed prefab unit to provide temporary school accommodation consisting of 10 no. classrooms, 2 science laboratories, GP hall, toilets and all other associated site works		
Final Decision on Application	Grant permission	
Decision Date	20-Aug-2019	

In addition to the above, the Craddockstown Road/Ballycane Road junction is to be improved under a separate future scheme. The scheme details are not known at this time, but will include cycle infrastructure which will tie into the proposed development. The scheme will go through Appropriate Assessment and Screening for EIA as part of the application process.

The potential for cumulative impact of the plans and projects identified above are assessed in the Screening section below in combination with the currently proposed project.

5 Screening Assessment

5.1 Characteristics of the Proposed Development

To determine whether the characteristics of the proposed development are likely to have significant impacts on the environment, the following questions are answered in Table 5.1, following guidelines set out in Guidance for Consenting Authorities regarding Sub-Threshold Development (DoEHLG 2003).

Table 5.1: Characteristics of the proposed development

Characteristics of the Proposed Development - Screening Questions	Comment
Could the scale (size or design) of the proposed development be considered significant?	The proposed development is a cycle route, which will be placed on existing roads and footpaths. As the proposed development will be similar to the existing condition, the scale is not significant.
Considered cumulatively with other adjacent proposed developments, would the size of the proposed development be considered significant?	The proposed development will tie in with existing and proposed developments in the area which have included or aim to include cycle routes. There are no significant road infrastructure projects proposed in the area. Overall, the size of the proposed development will be minor. As such, the cumulative effect is not expected to be significant.
Will the proposed development utilise a significant quantity of natural resources, in particular land, soil, water or biodiversity?	In terms of land area, the proposed development is small, to be placed on existing roads or footpaths. There will be no use of biodiversity. Excavated material will be reused as fill where appropriate. No water is required for the development. A small amount of hedgerow will be removed where land at the four properties identified is required. The removed hedgerow will be replaced with new hedgerow in agreement with the affected landowner. This removal will not be significant, given the small amount required and the presence of other hedgerow and trees in the area. Therefore, there will not be a significant quantity of natural resources used.
Will the proposed development produce a significant quantity of waste?	No. A small quantity of waste is expected to be produced during construction. Waste generated during construction will be disposed of at appropriately licenced agents. Once operational, the proposed development will not produce waste.
Will the proposed development create a significant amount or type of pollution?	No. Temporary air and noise pollution may occur during the construction phase, but will be mitigated against by operational plans devised by the contractor.
Will the proposed development create a significant amount of nuisance?	No. During construction, some noise and vibration will be created, however this will be temporary and short-term. Construction works will be limited to certain times of day to avoid nuisance to residences in the vicinity of the proposed development.

	<p>Road closures during construction will cause a temporary disruption for local residents. Alternative routes are available in the area.</p> <p>Once operational, the proposed development will not produce a significant amount of nuisance.</p>
<p>Will there be a risk of major accidents having regard to substances or technologies used?</p>	<p>No. The risks of this development will be those typically associated with normal construction practices.</p> <p>Construction machinery will be used during the construction phase and will be operated by licensed contractors, and following best practice guidance.</p>
<p>Will there be a risk of natural disasters which are relevant to the project, including those caused by climate change?</p>	<p>The proposed development is outside the Flood Zone A and B extents as described in the Kildare SFRA. Risk of natural disasters to the project is therefore low, and the development is appropriate for the area as per the SFRA.</p>
<p>Will there be a risk to human health (for example due to water contamination or air pollution)?</p>	<p>No. Any potential risk to human health will be as a result of the construction phase of this project. All contractors will be subject to best practice methodologies and risk assessments in order to minimize any risk to human health.</p>
<p>Would any combination of the above factors be considered likely to have significant effects on the environment?</p>	<p>No. The development is relatively small scale. The environmental impacts are predictable and easily mitigated through the use of best practice guidelines during the construction phase. As such, significant impacts on the environment are not expected as a result of the proposed development.</p>

Conclusion: The characteristics of the proposed development are not considered likely to result in a significant impact on the environment by virtue of its size, nature or operational activities.

Reasoning: The proposed cycle route is small in extent, to be built on existing roads or footpaths. Any environmental or noise impacts will be during the construction phase and not during operation of the development. Construction will not require significant use of natural resources, nor will it generate significant amounts of waste.

5.2 Location of the Proposed Development

The following questions are answered below in Table 5.2 to determine whether the geographical location of the proposed development can be considered ecologically or environmentally sensitive.

Table 5.2: Location of the proposed development

Location of the Proposed Development - Screening Questions	Comment
Has the proposed development the potential to impact directly or indirectly on any site designated for conservation interest (e.g., SAC, SPA, pNHA)?	No. The AA Screening for the site concluded that there are no Natura 2000 sites likely to be directly or indirectly impacted by the development.
Has the proposed development the potential to impact directly or indirectly on any habitats listed as Annex I in the EU Habitats Directive?	No. The AA Screening for the site found no potential impacts on habitats listed as Annex I in the EU Habitats Directive.
Has the proposed development the potential to impact directly or indirectly on any habitats listed as Priority Annex I in the EU Habitats Directive?	No. The AA Screening for the site found no potential impacts on habitats listed as Priority Annex I in the EU Habitats Directive.
Has the proposed development the potential to impact directly or indirectly on any species listed as Annex II in the EU Habitats Directive?	No. The AA Screening for the site found no potential impacts on species listed as Annex II in the EU Habitats Directive.
Has the proposed development the potential to impact directly or indirectly on the breeding places of any species protected under the Wildlife Act?	No. The route is to be constructed on the existing road, with a small section of hedgerow planting in front gardens to be removed.
Has the proposed development the potential to impact directly or indirectly on the existing or approved land use?	No. The proposed development is in line with the approved land use under the Kildare CDP. The scheme requires a small amount of land take, to be agreed with the affected landowners.
Has the proposed development the potential to significantly impact directly or indirectly the relative abundance, availability, quality or regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground?	No. The proposed development will not impact the relative abundance, availability, or regenerative capacity of natural resources. Once operational, there are no potential impacts to natural resources.
Has the proposed development the potential to impact directly or indirectly on any protected structures or Recorded Monuments and Places of Archaeological Interest?	No. There are no recorded archaeological or architectural features on site or in the near vicinity of the proposed development. The RPS structure at the Ballycane Road junction will not be impacted by the proposed development.
Has the proposed development the potential to impact directly or indirectly on listed or scenic views or protected landscapes as outlined in the County Development Plan?	No.

Conclusion: The location of the proposed development is not considered likely to result in a significant impact on the environment.

Reasoning: The proposed development is located on the existing road. There are no Natura 2000 sites or designated ecological sites which will be impacted by the proposed development.

5.3 Characteristics of Potential Impacts

The following questions were answered in Table 5.3, in line with Guidance on EIA Screening - June 2001, prepared for the European Commission by ERM (UK), to determine whether the environmental impacts of the development can be considered significant.

Table 5.3: Characteristics of potential impacts

Characteristics of Potential Impacts - Screening Questions	Comment
Will there be a large change in environmental conditions?	No. The proposed development is small in scale, constituting a minor realignment of existing road lanes and pathways to accommodate the cycle lane. Any changes will be limited in extent.
Will new features be out of scale with the existing environment?	No. The proposed development will be similar in scale to other cycle routes and footpaths in the area.
Will the effect be particularly complex?	No. The primary environmental impacts are expected to occur during the construction phase, and will be mitigated by operational plans devised by the on-site contractor. These include temporary impacts to air quality, noise and vibration, and through the generation of waste, and the removal of a small section of hedgerow which is at the front of four gardens.
Will the effect extend over a large area?	No. Given the small scale and nature of the proposed development this is highly unlikely.
Will there be any potential for trans-frontier impacts?	No.
Will many people be affected?	Only residents and business owners in the local vicinity will be affected by the construction phase, however such impacts will be temporary. Four landowners on the western side of the road will be affected by land take. The acquisition of their land is to be agreed with the Council.
Will many receptors of other types (fauna and flora, businesses, facilities) be affected?	No. Impacts on other receptors are expected to be temporary and limited to the construction phase. Once operational, impacts to receptors are expected to be negligible.
Will valuable or scarce features or resources be affected?	No. The route will not pass near any features listed on the NIAH or NMS. The RPS structure at the Ballycane Road junction will not be affected.
Is there a risk that environmental standards will be breached?	No. The appointed contractor will be contractually obligated to follow environmental guidance and standards, which will be outlined in the contract documents and operating plans devised for construction.
Is there a risk that protected sites, areas, features will be affected?	No.
Is there a high probability of the effect occurring?	No.
Will the effect continue for a long time?	No. Potential impacts would be brief to temporary, only occurring occasionally within the construction phase of the development or in the case of a breach of environmental standards.

Will the effect be permanent rather than temporary?	No. Potential impacts would be temporary.
Will the impact be continuous rather than intermittent?	No. Potential impacts would be intermittent.
If it is intermittent, will it be frequent rather than rare?	No. Potential impacts would be rare, occurring only in the case of accidental breach of environmental standards during the construction phase.
Will the impacts be irreversible?	No.
Will it be difficult to avoid, or reduce or repair or compensate for the effect?	No. Mitigation measures to be put in place during construction will be sufficient to avoid or reduce potential impacts.

Conclusions: The characteristics of the potential impacts as a result of the proposed development are unlikely to be significant and are easily mitigated.

Reasoning: The potential impacts from this development would be primarily during the construction phase. It is easy to predict these impacts and mitigate them through the use of standard environmental procedures.

6 Conclusions and Recommendations

The purpose of this report was to identify whether there is a need under The Planning and Development Act 2000, as amended, or the Roads Act 1993, as amended, for an EIAR for the proposed cycle scheme on Craddockstown Road, Naas, Co. Kildare.

The proposed development will run along existing roads in the area, with a low kerb providing segregation from motor vehicles. The proposed development will not require deep excavations, but will require land take from four private properties.

It was determined that the proposed development does not fall under Schedule 5 (Parts 1 and 2) of the Act. As such, an EIAR has not been automatically triggered. To determine whether the development may fall under the category of Sub-threshold development, with the potential to give rise to significant environmental effects, a screening exercise was undertaken.

During construction, typical impacts such as noise, dust, traffic disruption, and the generation of small amounts of waste are to be expected. These are typical construction phase impacts, and will be mitigated against by environmental operating plans devised by the on-site contractor, following best practice guidance.

An AA Screening Report completed for the proposed development determined that no likely significant impacts are expected as a result of the proposed development. This is due to the small size of the development and the distance and/or lack of pathways to Natura 2000 sites.

The requirement for third party land will lead to the removal or replacement of a short section of hedgerow. This is not considered significant, given the existing hedgerow and trees lining gardens in the area.

Once operational, the proposed development is expected to be low in environmental impact. The cycle route will be an important amenity asset for the area, and will provide locals with a safe cycling route along Craddockstown Road and towards Naas Community National School.

It has been concluded that the proposed development does not fall under the category of sub-threshold development, and thus an EIAR is not required.

The overall conclusion is based on the details of the scheme available at the time of preparation of this report. If the extent of the scheme or the construction methods for the scheme are changed then the EIAR Screening assessment should be reviewed.

The logo for JBA consulting, featuring the text "JBA" in a large, bold, white sans-serif font above the word "consulting" in a smaller, white sans-serif font. The text is set against a teal-colored rounded square background.

JBA
consulting

Offices at
Dublin
Limerick

Registered Office
24 Grove Island
Corbally
Limerick
Ireland

t: +353 (0) 61 345463
e: info@jbaconsulting.ie

[JBA Consulting Engineers and
Scientists Limited](#)
Registration number 444752

JBA Group Ltd is certified to:
ISO 9001:2015
ISO 14001:2015
OHSAS 18001:2007



Visit our website
www.jbaconsulting.ie

AA Screening



Craddockstown Junction Improvement Scheme

Appropriate Assessment Screening Report

Kildare County Council

P00008786

February 2022

Client: Kildare County Council
Address: Áras Chill Dara, Devoy Park, Naas, Co. Kildare

Project reference: P00008786
Date of issue: February 2022

Project Director: Elaine Dromey
Project Manager: Maeve Riley

APEM Ltd
NSC-Campus
Mahon
Cork
T12 XY2N
Tel: 021 2339580
Registered in Ireland No. 693910



Revision and Amendment Register

Version Number	Date	Section(s)	Page(s)	Summary of Changes	Approved by
1.0	24/02/2022	All	All	N/A	ED

Contents

1.0	Introduction	1
1.1	General Description of the Site.....	1
1.2	Brief Project Description	1
1.3	Aim of the Report.....	2
1.4	Objectives of the Appropriate Assessment Process	2
1.5	Evidence of Technical Competence and Experience	2
1.6	Relevant Legislation	2
2.0	Methods.....	4
2.1	Desk Study.....	4
2.2	Zone of Influence	4
2.3	Screening Report.....	4
3.0	Appropriate Assessment Screening	6
3.1	Identification of Natura 2000 sites	6
3.2	Description of Natura 2000 Sites	6
3.3	Qualifying Interests and Conservation Objectives.....	8
3.4	Identification of potential impacts on Natura 2000 sites	10
3.5	Potential Impacts and Effects	10
3.6	Cumulative Effects	11
3.7	Likely Significant Effects.....	11
4.0	Consideration of Findings	11
5.0	References	12
	Figures.....	14
	Appendix 1: Relevant Legislation.....	15

1.0 Introduction

APEM Ltd was commissioned by Kilgallen and Partners Consulting Engineers, on behalf of Kildare County Council, on 8 February 2022 to prepare a report to inform screening for appropriate assessment for upgrade works at Craddockstown Junction, Naas, Co. Kildare.

1.1 General Description of the Site

The proposed works site (“the Site”) is located at the junction of Craddockstown Road and Ballycane Road in Naas, Co. Kildare. The Site is located to the south - east of Naas town and is surrounded by residential houses with some amenity grassland (Figure 1).

The closest watercourse is approximately 420 m south - west which flows northwards to Naas General Hospital. Castlesize watercourse¹ is located 430 m east of the Site which flow northwards joining the River Liffey (approximately 5km distant).

1.2 Brief Project Description

The project description below was provided by Kilgallen and Partners Consulting Engineers.

It is proposed that the existing road junction at Craddockstown is upgraded to include shared surfaces for cyclists and pedestrians, ramps for cycleways, replace existing crossings with toucan crossings, creating a signalised junction and create grassed verges (the “Scheme”).

The Scheme will realign the Craddockstown Road along its full length between Ballycane Road Junction and Naas Community National School. The Scheme will also include improvement works to the Ballycane Road junction.

Surface water run-off will discharge to the existing surface water drainage system, with localised improvements to surface water sewers where required. The Scheme will be largely at-grade and so significant excavation / deposition is not required.

The Scheme requires acquisition of lands from the front gardens of houses to the south of Craddockstown Road and the removal of landscaping along the road-side boundaries of these gardens.

The main elements of work include:

- Create signalised junction at the existing junction.
- Replacing existing crossing with toucan crossings.
- Improve cycle and pedestrian access to the carriageway.
- Improved shared surfaces for pedestrians and cyclists.

The proposed total length of the Scheme is approximately 405 m and proposed maximum width of the works area is approximately 20m.

¹ As named on EPA Maps <https://gis.epa.ie/EPAMaps/default> (Accessed February 2022)

1.3 Aim of the Report

This report has been prepared to provide supporting information to allow the competent authority, in this case Kildare County Council, to carry out screening for appropriate assessment for the proposed works at Craddockstown Junction, Naas, Co. Kildare.

1.4 Objectives of the Appropriate Assessment Process

The Appropriate Assessment² process promotes a hierarchy of avoidance, mitigation and compensatory measures as follows:

- Firstly, a project should aim to avoid any negative impacts on Natura 2000 sites by identifying possible impacts early and designing the project to avoid such impacts.
- Secondly, mitigation measures should be applied during the AA process (after stage 1 screening) to the point where no adverse impacts on the site(s) remain.
- Thirdly a project may have to undergo an assessment of alternative solutions. Under this stage of the assessment, compensatory measures are required for any remaining adverse effects, but they are permitted only if (a) there are no alternative solutions and (b) the project is required for imperative reasons of overriding public interest (the 'IROPI test'). European case law highlights that consideration must be given to alternatives outside the project boundary area in carrying out the IROPI test.

1.5 Evidence of Technical Competence and Experience

Maeve Riley MSc, BSc, MCIEEM prepared this report, and it was technically reviewed by Elaine Dromey BSc MSc MCIEEM.

Elaine Dromey has worked in ecological consultancy since 2000 in both the UK and Ireland. She holds a BSc in Earth Science from University College Cork and an MSc in Vegetation Survey and Assessment from the University of Reading, UK. She is a full member of the Chartered Institute of Ecology and Environmental Management. Elaine has worked as a senior ecologist and the project lead on many projects requiring the preparation of ecological reports and reports to support the appropriate assessment process.

Maeve Riley is a Senior Ecologist with APEM and holds a MSc in Environmental Consultancy from Newcastle University. She has ten years ecological consultancy experience and is a full member of the Chartered Institute of Ecology and Environmental Management. She coordinates teams of multi-disciplinary experts for a range of projects and outputs including Appropriate Assessments, Ecological Impact Assessments (EclIA) and ecology reporting in support of planning applications for large commercial and residential facilities.

1.6 Relevant Legislation

The main pieces of relevant legislation are as follows:

- The Habitats Directive 92/43/EEC.

² The objectives as outlined are based on those set out in Scott Wilson and Levett-Therivel, (2006).

- The Birds Directive 2009/147/EC.
- European Communities (Birds and Natural Habitats) Regulations 2011 – 2021.
- Planning and Development Acts 2000 to 2021 - PART XAB.

The relevant sections of the legislation are summarised in Appendix 1 of this report.

2.0 Methods

2.1 Desk Study

A desk study was carried out to collate information available on Natura 2000 sites within the potential zone of influence of the proposed works. The Site and the surrounding area was viewed using satellite imagery³. Kildare planning portal⁴ was accessed for information on other permitted and proposed development within the zone of influence of the project. The National Parks and Wildlife Service (NPWS) website⁵ was accessed for information on Natura 2000 sites. Environmental Protection Agency (EPA) Maps⁶ was accessed for other environmental information, such as location of watercourses, relevant to preparation of this report.

2.2 Zone of Influence

The 'zone of influence' for a project is the area over which ecological features may be affected by biophysical changes as a result of the proposed project and associated activities. This is likely to extend beyond the project site, for example where there are ecological or hydrological links beyond the site boundaries. The zone of influence will vary for different ecological features depending on their sensitivity to an environmental change (CIEEM, 2018).

Irish guidance (DoEHLG, 2010) states, for the zone of influence of plans, that *"A distance of 15 km is currently recommended in the case of plans derives from UK guidance (Scott Wilson et al, 2006)"*. The guidance goes on to state that *"for projects, the distance could be much less than 15 km, and in some cases less than 100 m, but this must be evaluated on a case-by-case basis with reference to the nature, size and location of the project, the sensitivities of the ecological receptors, and the potential for in-combination effects."*

The zone of influence for the proposed works was identified through a review of the nature of the works, the type of impacts and effects that could arise as a result, the distance between the works and Natura 2000 sites, and the qualifying interests of the Natura 2000 sites. The zone of influence of the proposed works is discussed in further detail later in this report.

2.3 Screening Report

The approach taken in preparing the screening report is based on standard methods and best practice guidance, as listed in the references section of this report. The approach to preparing the AA screening report is summarised as follows:

- Identify Natura 2000 sites within the potential zone of influence of the proposed works.
- Identify the features of interest of the Natura 2000 sites and review their conservation objectives.
- Review whether there is potential for the features of interest to be affected by the proposed works based on information such as the vulnerabilities of the Natura 2000 site, proximity to the Site and the nature and scale of the proposed works.

³ <https://www.google.ie/maps> & <http://www.bing.com/maps/> (accessed 23 February 2022)

⁴ <http://webgeo.kildarecoco.ie/planningenquiry> (accessed 23 February 2022)

⁵ <https://www.npws.ie/protected-sites> (accessed 23 February 2022)

⁶ <http://gis.epa.ie/> (accessed 23 February 2022)

- Consider the likelihood of the identified potential impacts occurring based on the information collated and professional judgement.
- Consider the likelihood of cumulative effects arising from the proposed works in-combination with other plans and projects.
- Identify the likelihood of significant effects on Natura 2000 sites occurring because of the proposed works.

3.0 Appropriate Assessment Screening

This section of the report identifies the potential zone of influence of the proposed development, provides information on the Natura 2000 sites within the identified zone of influence and sets out the potential impacts and effects and the likelihood of significant effects.

3.1 Identification of Natura 2000 sites

The first step in identification of Natura 2000 sites that could be affected by the project is to determine the potential zone of influence of the proposed works. When the zone of influence of the proposed works has been determined Natura 2000 sites within this area can be identified the potential for these sites to be affected can be evaluated by considering:

- Scale and type of the proposed works.
- Proximity to the proposed works.
- Qualifying interests.
- Ecological⁷ and Landscape⁸ connectivity.

The closest Natura 2000 site to the Site is Red Bog Kildare Special Area of Conservation (SAC) 000397 approximately 8 km south - east. The next closest Natura 2000 sites are Poulaphouca Reservoir Special Protection Area (SPA) 004063 approximately 9 km south - east and Mouds Bog SAC 002331 approximately 9.3 km west of the Site (Figure 2).

There is no landscape or ecological connectivity to any other Natura 2000 site. Therefore, the zone of influence of the proposed works is limited to the three closest Natura 2000 Sites; Red Bog Kildare SAC, Poulaphouca Reservoir SPA and Mouds Bog SAC.

3.2 Description of Natura 2000 Sites

The summarised description of Natura 2000 sites within the zone of influence of the proposed works has been prepared using the supporting information available on the NPWS website⁹.

3.2.1 Red Bog Kildare SAC 000397

“Red Bog, Kildare is a site of particular conservation significance, supporting a good example of transition mire, a habitat that is listed on Annex I of the E.U. Habitats Directive.

⁷ Connectivity is defined as a measure of the functional availability of the habitats needed for a particular species to move through a given area. Examples include the flight lines used by bats to travel between roosts and foraging areas or the corridors of appropriate habitat needed by some slow colonising species if they are to spread (CIEEM, 2018).

⁸ Landscape connectivity is a combined product of structural and functional connectivity, i.e. the effect of physical landscape structure and the actual species use of the landscape (Kettunen et al. 2007)

⁹ <https://www.npws.ie/protected-sites> (Accessed 22 February 2022)

Red Bog is of ornithological significance and breeding birds recorded from the site include Mute Swan, Mallard, Tufted Duck, Coot, Moorhen, Snipe and Black-headed Gull (estimated <20 pairs)."

3.2.2 Poulaphouca Reservoir SPA 004063

"The reservoir covers an area of approximately 20 square kilometres and is the largest inland water body in the mid-east and south-east regions. The reservoir receives water from two main sources, the River Liffey at the northern end, and the Kings River at the southern end. The exit is into the River Liffey gorge at the western end. Underlying the reservoir are sands and gravels deposited during the last glaciation. The shores of the lake are mostly sandy.

*Wet grassland areas occur in sheltered bays around the lake but especially in the northern part. Reed Canary-grass (*Phalaris arundinacea*) is the main grass species present, but other plant species characteristic of wet grasslands occur, including Creeping Bent (*Agrostis stolonifera*), Meadowsweet (*Filipendula ulmaria*), Yellow Iris (*Iris pseudacorus*) and Water Mint (*Mentha aquatica*). Sedges (*Carex* spp.) are locally common, while Rusty Willow (*Salix cinerea* subsp. *oleifolia*) scrub is often found associated with the wet grassland.*

Poulaphouca Reservoir is of national importance for its Greylag Goose population, which is one of the largest in the country. The site provides the main roost for the birds, with feeding occurring mostly on improved grassland outside of the site. A mean peak of 701 individuals occurred during the five seasons 1995/96 to 1999/2000. Other waterfowl species occur in relatively low numbers, including Whooper Swan (22), Wigeon (180), Teal (107), Mallard (186), Goldeneye (22), Cormorant (11), Great Crested Grebe (8), Curlew (86) and Mute Swan (11). The site is also used by Grey Heron (6)

The principal interest of the site is the Greylag Goose population, which is of national importance. A range of other wildfowl species also occurs, including Whooper Swan, a species that is listed on Annex I of the E.U. Birds Directive. The site is also notable as a winter roost for gulls, especially Lesser Black-backed Gull. Part of Poulaphouca Reservoir SPA is a Wildfowl Sanctuary."

3.2.3 Mouds Bog SAC 002331

"The site is a Special Area of Conservation (SAC) selected for the following habitats and/or species listed on Annex I / II of the E.U. Habitats Directive (= priority; numbers in brackets are Natura 2000 codes): Raised Bog (Active)* [7110] Degraded Raised Bog [7120] Rhynchosporion Vegetation [7150]*

Mouds Bog is significant in terms of its high bog area and geographical location as it is at the eastern extreme of the range of raised bogs in Ireland. It is a site of considerable conservation significance comprising a large raised bog, a rare habitat in the E.U. and one that is becoming increasingly scarce and under threat in Ireland. This site supports a good diversity of raised bog microhabitats including hummock/hollow complexes, pools and flushes, and cutover, all of which add to the diversity and scientific value of the site. Active raised bog is listed as a priority habitat on Annex I of the E.U. Habitats Directive. Priority status is given to habitats and species that are threatened throughout the E.U. Ireland has a high proportion of the total E.U. resource of this habitat type (over 60%) and so has a special responsibility for its conservation at an international level.²

Red Grouse, a Red Listed species and one that is becoming increasingly rare in Ireland, has been recorded on this site. Other birds noted on the site include Skylark, Meadow Pipit, Curlew and Kestrel.”

3.3 Qualifying Interests and Conservation Objectives

The qualifying interests and conservation objectives for Natura 2000 sites within the zone of influence of the proposed works are listed in Table 1. This information was also obtained from the resources available on the NPWS website⁹.

Table 1. Natura 2000 Sites within the Zone of Influence

Natura 2000 site and code	Distance from Site ¹⁰	Qualifying Interests and Natura 2000 Code	Conservation Objectives
Red Bog Kildare SAC - 000397	8 km	<ul style="list-style-type: none"> Transition mires and quaking bogs (7140) 	<p>To maintain the favourable conservation condition of the of the qualifying interests of the SAC using a list of specific attributes and targets</p> <p>Full details of the conservation objectives for the SAC can be found at:</p> <p>https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000397.pdf</p>
Poulaphouca Reservoir SPA - 004063	9 km	<ul style="list-style-type: none"> Greylag goose (<i>Anser anser</i>) (A043) Lesser black-backed gull (<i>Larus fuscus</i>) (A183) 	<p>To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA</p> <p>Full details of the conservation objectives for the SPA can be found at:</p> <p>https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004063.pdf</p>
Mouds Bog SAC - 002331	9.3 km	<ul style="list-style-type: none"> Active raised bogs (7110) Degraded raised bogs still capable of natural regeneration (7120) Depressions on peat substrates of the Rhynchosporion (7150) 	<p>To restore the favourable conservation condition of the qualifying interests of the SAC using a list of specific attributes and targets.</p> <p>Full details of conservation objectives for the SAC can be found at:</p> <p>https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002331.pdf</p>

¹⁰ Measured in a straight line between the Site and closest point of Natura 2000 site boundary

3.4 Identification of potential impacts on Natura 2000 sites

The potential impacts of the proposed development on the habitats and species listed as qualifying interests for the Poulaphouca Reservoir SPA and Mouds Bog SAC are discussed in this section.

DoEHLG (2010) guidance for planning authorities states *“If the effects are deemed to be significant, potentially significant, or uncertain, or if the screening process becomes overly complicated, then the process must proceed to Stage 2 (AA). Screening should be undertaken without the inclusion of mitigation, unless potential impacts clearly can be avoided through the modification or redesign of the plan or project, in which case the screening process is repeated on the altered plan. The greatest level of evidence and justification will be needed in circumstances when the process ends at screening stage on grounds of no impact.”* This approach is adopted in this report to considering the likely significant effects of the proposed development.

A significant effect is defined in paragraph 49 of the Waddenzee Case C-127/02¹¹ as follows *“.....pursuant to the first sentence of Article 6(3) of the Habitats Directive, where a plan or project not directly connected with or necessary to the management of a site is likely to undermine the site's conservation objectives, it must be considered likely to have a significant effect on that site. The assessment of that risk must be made in the light inter alia of the characteristics and specific environmental conditions of the site concerned by such a plan or project.”*

The likelihood of impacts occurring as a result of the proposed development was established in light of the type and scale of the development, the location of the development with respect to Natura 2000 sites within the zone of influence and the qualifying interests and conservation objectives of those Natura 2000 sites.

3.5 Potential Impacts and Effects

The works will be confined to the extents of the area shown on Drawing Number 15088-C-DR-P8/1-02 (See Figures) prepared by Kilgallen and Partners Consulting Engineers.

The proposed works are approximately 8 km from the boundary of the closest Natura 2000 site with the boundary of the next closest Natura 2000 site approximately 9 km distant (Figure 2). The proposed works will not directly impact any Natura 2000 sites and there is no risk of habitat damage, loss or fragmentation as there will be no land take or works within any Natura 2000 site.

The proposed works are within an urban environment where existing noise levels associated with human activities will not increase during construction or operation phases. Therefore, there is no risk of disturbance of species listed as qualifying interests of the Poulaphouca Reservoir SPA because of noise levels associated with the proposed works.

The proposed works will not result in any effects on qualifying interests arising from emissions to air, such as dust, as the works are sufficiently distant from Red Bog Kildare SAC, Poulaphouca Reservoir SPA and Mouds Bog SAC that any dust generated would not affect these Natura 2000 sites.

There is no ecological or landscape connectivity between the works area and any Natura 2000 sites. There are no streams or drainage ditches within the works area and therefore no pathway to convey pollutants via surface water to Natura 2000 sites. The proposed works include upgrade of the existing

¹¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62002CJ0127> (accessed 22 February 2022)

surface water management system and surface water run-off from these areas on completion of works will continue to discharge to the existing surface water drainage network.

There is no risk of any effects on Red Bog Kildare SAC, Poulaphouca Reservoir SPA and Mouds Bog SAC as a result of the proposed works due to the small scale and nature of the works, upgrades of existing road infrastructure, and the lack of any ecological or landscape connectivity.

3.6 Cumulative Effects

Cumulative effects can result from individually insignificant but collectively significant actions taking place over a period of time or concentrated in a location. Cumulative effects can occur where a proposed development results in individually insignificant impacts that, when considered in-combination with impacts of other proposed or permitted plans and projects, can result in significant effects (CIEEM, 2018).

There are no effects on Natura 2000 sites predicted to occur as a result of the Proposed Works and therefore there are no pathways for the works to act in-combination with other plans or projects.

3.7 Likely Significant Effects

The proposed upgrade works at Craddockstown Junction, Naas, Co. Kildare will not result in effects on Red Bog Kildare SAC 000397, Poulaphouca Reservoir SPA 004063 and Mouds Bog SAC 002331 and there is no risk of undermining the conservation objectives of these sites. There are no likely significant effects on any Natura 2000 sites because of proposed upgrade works at Craddockstown Junction, Naas, Co. Kildare junction.

4.0 Consideration of Findings

This screening report, based on the available scientific information and project details, demonstrates that the Proposed Development does not pose a risk of likely significant effects on Red Bog Kildare SAC 000397, Poulaphouca Reservoir SPA 004063 and Mouds Bog SAC 002331.

We therefore submit that the competent authority, in this case Kildare County Council, can determine that appropriate assessment is not required, as the proposed works, individually or in combination with other plans or projects, will not have a significant effect Red Bog Kildare SAC 000397, Poulaphouca Reservoir SPA 004063 and Mouds Bog SAC 002331 or on any other Natura 2000 site.

5.0 References

DoEHLG (2010). *Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities*. National Parks and Wildlife Service, Department of the Environment, Heritage and Local Government. Dublin.

European Commission (2001). *Assessment of Plans and Projects significantly affecting Natura 2000 Sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*.

European Commission (2018). *Managing Natura 2000 Sites: The Provisions of Article 6 of the 'Habitats Directive' 92/43/EEC*.

European Union Habitats Directive, (1992). *Council Directives 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora*.

European Union Birds Directive (2009) *Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (codified version)*.

Kilroy, G., Dunne, F., Ryan, J., O'Connor, A., Daly, D., Craig, M., Coxon, C., Johnston, J. and Henning, M. (2013). *A Framework for the Assessment of Groundwater-Dependent Terrestrial Ecosystems under the Water Framework Directive*. Environmental Protection Agency.

NPWS (2013) *Red Bog, Kildare 00397 Site Synopsis*. National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht.

NPWS (2014) *Mouds Bog 002331 Site Synopsis*. National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht.

NPWS (2014) *Poulaphouca Reservoir SPA 004063 Site Synopsis*. National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht.

NPWS (2015) *Conservation Objectives: Mouds Bog SAC 002331. Version 1*. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

NPWS (2018) *Mouds Bog 002331 Natura 2000 Standard Data Form*. National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht.

NPWS (2019) *Conservation Objectives: Red Bog, Kildare SAC 000397. Version 1*. National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht.

NPWS (2020) *Red Bog, Kildare 00397 Natura 2000 Standard Data Form*. National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht.

NPWS (2020) *Poulaphouca Reservoir SPA 004063 Natura 2000 Standard Data Form*. National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht.

NPWS (2021) *Conservation objectives for Poulaphouca Reservoir SPA [004063]. Generic Version 8.0*. Department of Housing, Local Government and Heritage.

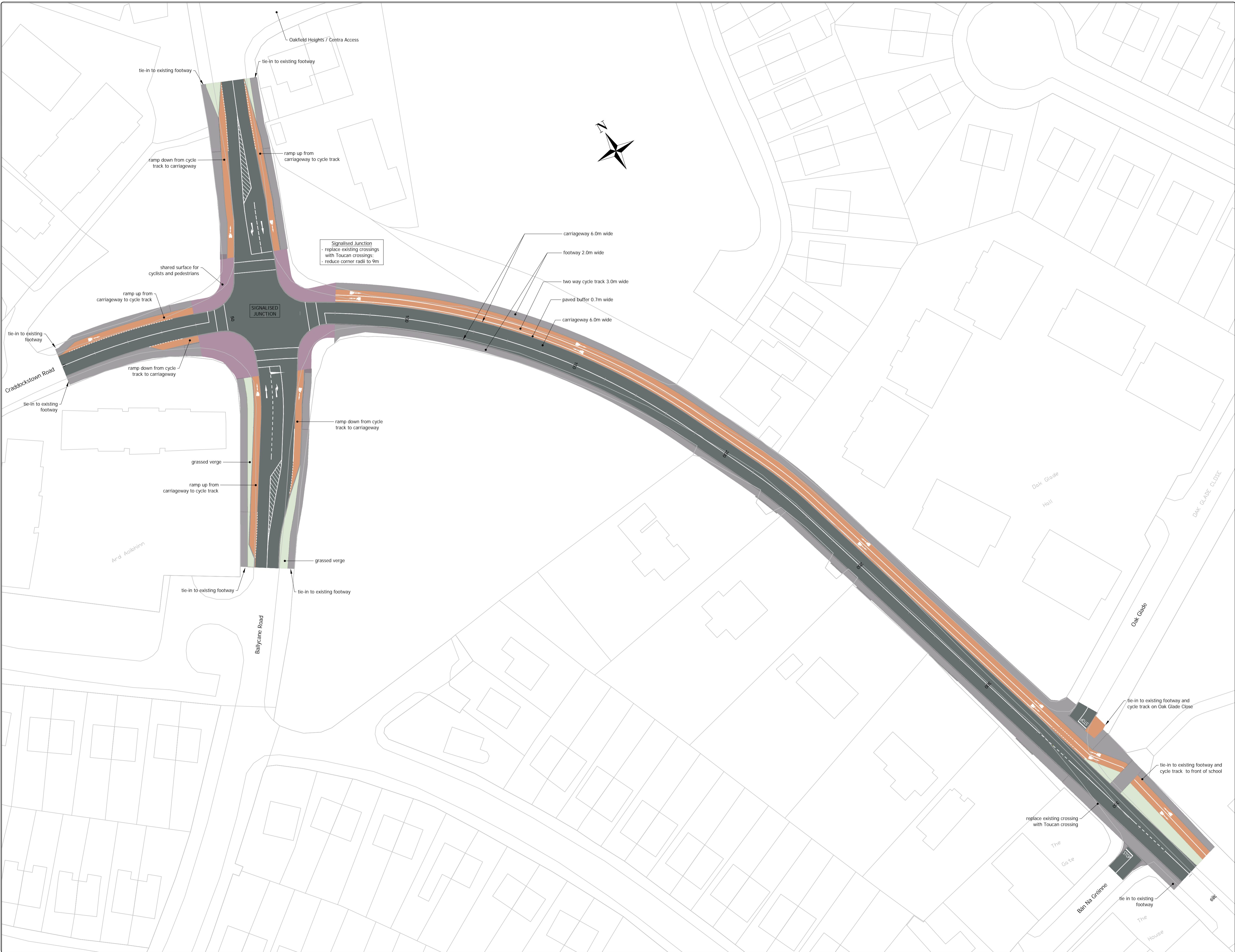
Scott Wilson and Levett-Therivel, (2006). *Appropriate Assessment of Plans*. Scott Wilson, Levett-Therivel Sustainability Consultants, Treweek Environmental Consultants and Land Use Consultants.

Websites

EPA Mapping <https://gis.epa.ie/EPAMaps/>

National Parks and Wildlife Services Protected Sites <https://www.npws.ie/protected-sites>

Figures



Signalised Junction
 - replace existing crossings with Toucan crossings
 - reduce corner radii to 9m

- carriageway 6.0m wide
- footway 2.0m wide
- two way cycle track 3.0m wide
- paved buffer 0.7m wide
- carriageway 6.0m wide

OS mapping reproduced under licence.
 This drawing is the property of Kilgallen and Partners. Copyright.

REV	DATE	BY	DETAILS

CLIENT
 KILDARE COUNTY COUNCIL

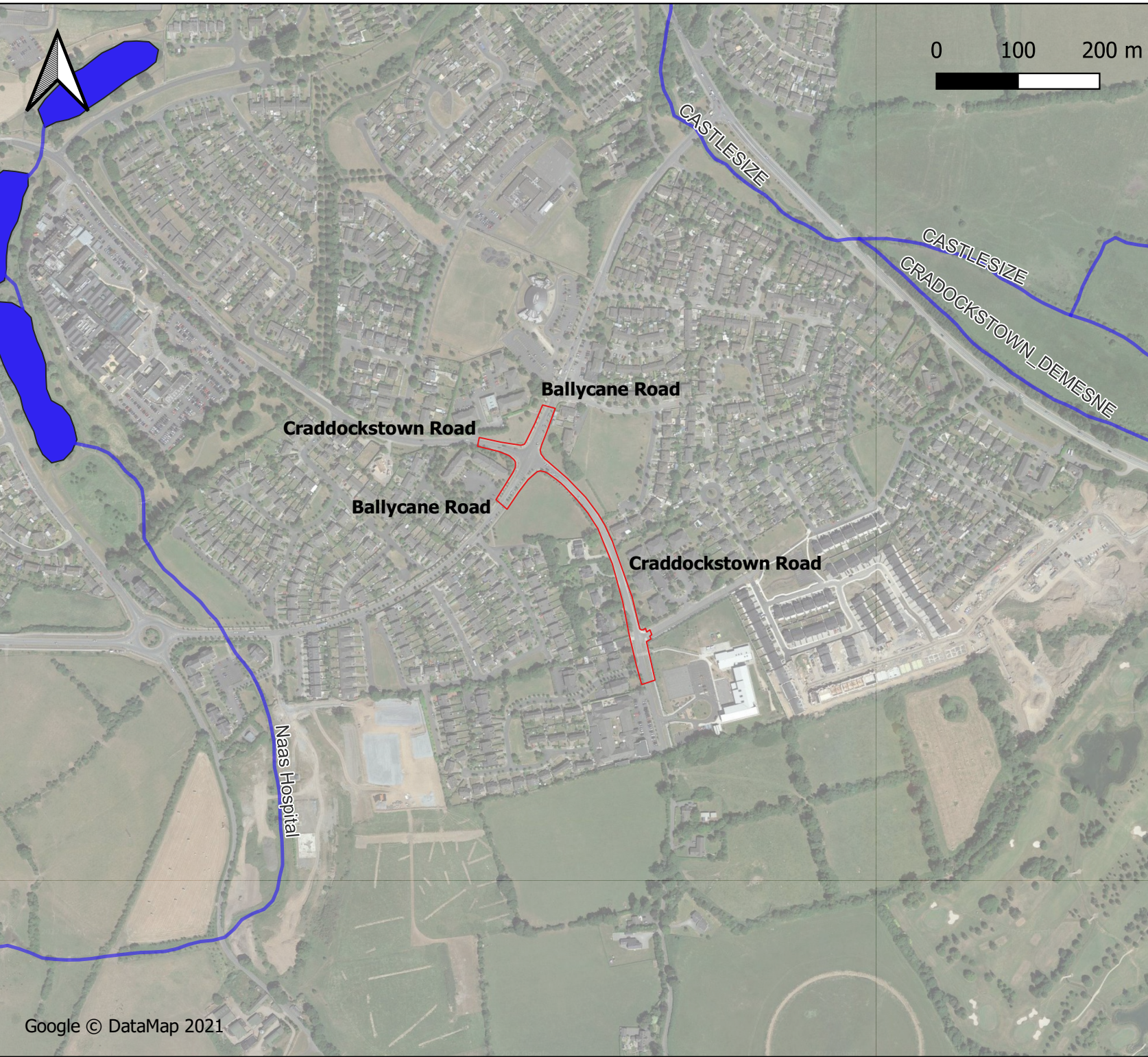
STATUS
 PRELIMINARY. NOT TO BE USED FOR ANY OTHER PURPOSE.

PROJECT
 CRADDOCKSTOWN ROAD / BALLYCANE ROAD IMPROVEMENT SCHEME

TITLE
 OPTION 6 - Two-way cycle tracks on one side of Craddockstown Road (General Layout)


KILGALLEN & PARTNERS
 CONSULTING ENGINEERS
 KYLEKIPROE, WELL ROAD, PORTLAOISE, CO. LAOIS
 Tel: +353 57 86 62860, Fax: +353 57 86 62861
 E-mail: info@kilgallen.ie, Web: www.kilgallen.ie

DRN: CP	DRAWING NO.: 19044-DR-202	REV.: PR1
CHKD: PB	SCALE: 1:500 @ A1	DATE: 14/09/21



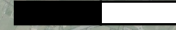
Legend

- Indicative Redline Boundary
- Watercourses
- Lakes




		Project Name	
		Craddockstown Junction	
Map Title			
Figure 1 Site Location			
Client		Date 21/02/2022	
Kilgallen and Partners	Drawn		Checked
	MR		ED

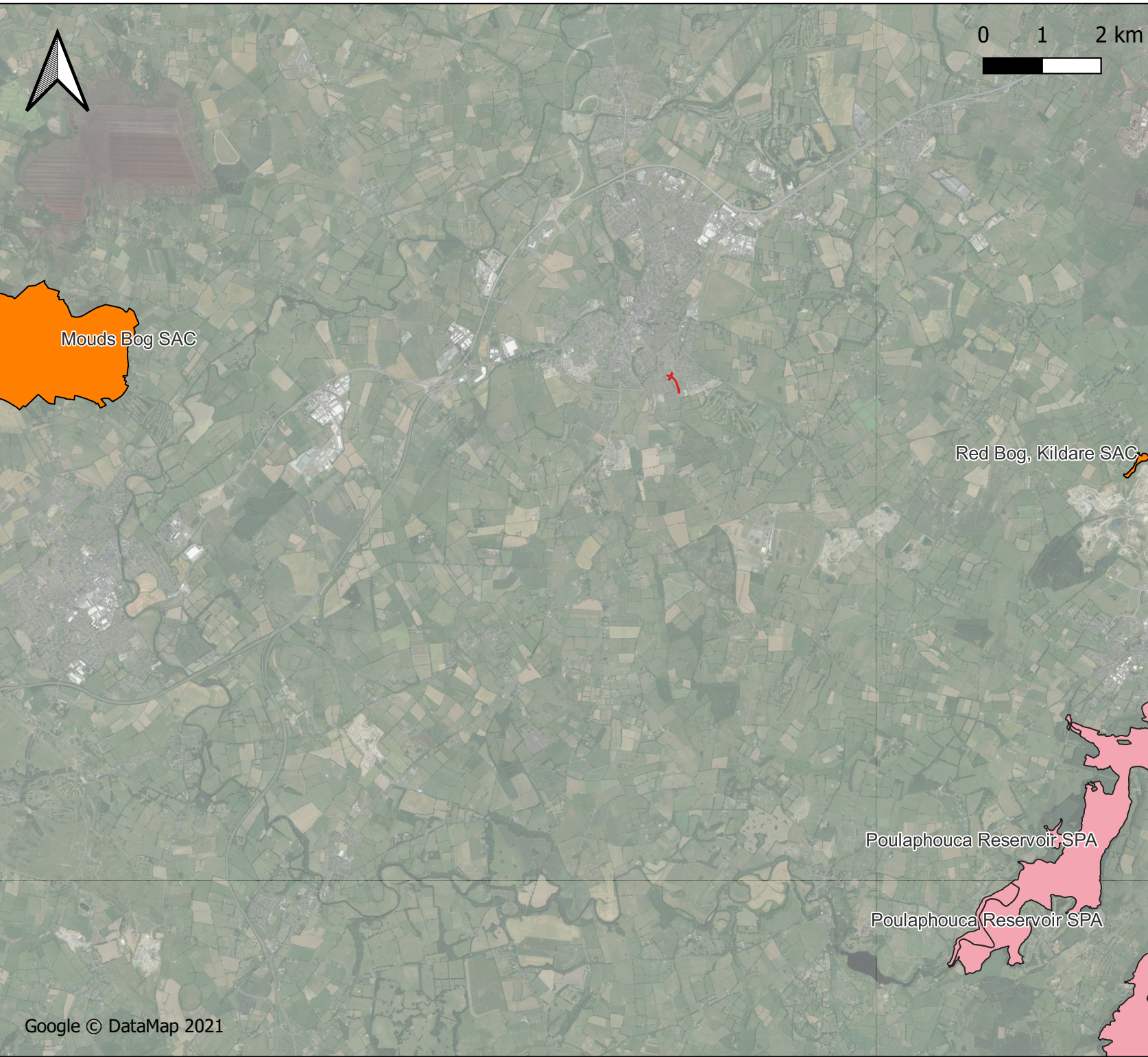


0 1 2 km



Legend

-  Indicative Redline Boundary
-  SPA
-  SAC




Mouds Bog SAC

Red Bog, Kildare SAC

Poulaphouca Reservoir SPA

Poulaphouca Reservoir SPA

		Project Name	
		Craddockstown Junction	
Map Title			
Figure 2 Natura 2000 Sites			
Client		Date 21/02/2022	
Kilgallen and Partners	MR	Drawn	
		Checked	
		ED	

Appendix 1: Relevant Legislation

European Nature Directives (Habitats and Birds)

The Habitats Directive (Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora) forms the basis for the designation of Special Areas of Conservation. Similarly, Special Protection Areas are classified under the Birds Directive (Council Directive 2009/147/EEC on the Conservation of Wild Birds). Collectively, Special Areas of Conservation (SAC) and Special Protection Areas (SPA) are referred to as the Natura 2000 network. In general terms, they are considered to be of exceptional importance for rare, endangered or vulnerable habitats and species within the European Community.

Under Article 6(3) of the Habitats Directive an appropriate assessment must be undertaken for any plan or project that is likely to have a significant effect on the conservation objectives of a Natura 2000 site. An appropriate assessment is an evaluation of the potential impacts of a plan or project on the conservation objectives of a Natura 2000 site¹², and the development, where necessary, of mitigation or avoidance measures to preclude negative effects.

Article 6, paragraph 3 of the EC Habitats Directive 92/43/EEC (“the Habitats Directive”) states that:

“Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public”

The Habitats Directive is transposed into Irish law by the EC (Birds and Natural Habitats) Regulations 2011 – 2015. Part XAB of the Planning and Development Acts 2000 to 2020 transposes Article 6(3) and 6(4) of the Habitats Directive in respect of land use plans and proposed projects requiring development consent.

EC (Birds and Natural Habitats) Regulations 2011 to 2021 – Part 5

Part 5 of the EC (Birds and Natural Habitats) Regulations 2011 – 2021 sets out the circumstances under which an ‘appropriate assessment’ is required. Section 42(1) requires that *‘a screening for Appropriate Assessment of a plan or project for which an application for consent is received, or which a public authority wishes to undertake or adopt, and which is not directly connected with or necessary to the management of the site as a European Site, shall be carried out by the public authority to assess, in view of best scientific knowledge and in view of the conservation objectives of the site, if that plan or project, individually or in combination with other plans or projects is likely to have a significant effect on the European site.’*

Section 42(2) expands on this, stipulating that a public authority must carry out a screening for Appropriate Assessment before consent for a plan or project is given, or a decision to undertake or adopt a plan or project is taken. To assist a public authority to discharge its duty in this respect, Section

¹² Also referred to as European Sites in the Planning and Development Acts 2000 – 2021.

42(3)(a) gives them the authority to direct a third party to provide a Natura Impact Statement and Section 42(3)(b) allows them to request any additional information that is considered necessary for the purposes of undertaking a screening assessment.

Section 42(6) requires that *'the public authority shall determine that an Appropriate Assessment of a plan or project is required where the plan or project is not directly connected with or necessary to the management of the site as a European Site and if it cannot be excluded, on the basis of objective scientific information following screening under this Regulation, that the plan or project, individually or in combination with other plans or projects, will have a significant effect on a European site'*.

Planning and Development Acts 2000 to 2021¹³ - PART XAB

The relevant sections of Part XAB of the Planning and Development Acts 2000 – 2020 are set out below.

Screening for appropriate assessment

Section 177U requires that— (1) A screening for appropriate assessment of a draft Land use plan or application for consent for proposed project shall be carried out by the competent authority to assess, in view of best scientific knowledge, if that Land use plan or proposed project, individually or in combination with another plan or project is likely to have a significant effect on the European site.

(2) A competent authority shall carry out a screening for appropriate assessment under subsection (1) before—

(a) a Land use plan is made including, where appropriate, before a decision on appeal in relation to a draft strategic development zone is made, or

(b) consent for a proposed project is given.

(3) In carrying out screening for appropriate assessment of a proposed project a competent authority may request such information from the applicant as it may consider necessary to enable it to carry out that screening, and may consult with such persons as it considers appropriate and where the applicant does not provide the information within the period specified, or any further period as may be specified by the authority, the application for consent for the proposed project shall be deemed to be withdrawn.

(4) The competent authority shall determine that an appropriate assessment of a draft Land use plan or a proposed project, as the case may be, is required if it cannot be excluded, on the basis of objective information, that the draft Land use plan or proposed project, individually or in combination with other plans or projects, will have a significant effect on a European site.

(5) The competent authority shall determine that an appropriate assessment of a draft Land use plan or a proposed project, as the case may be, is not required if it can be excluded, on the basis of objective information, that the draft Land use plan or proposed project, individually or in combination with other plans or projects, will have a significant effect on a European site.

¹³ <http://revisedacts.lawreform.ie/eli/2000/act/30/revised/en/html> (Updated to 17 December 2021)

(6) (a) Where, in relation to a proposed project, a competent authority makes a determination that an appropriate assessment is required, the competent authority shall give notice of the determination, including reasons for the determination of the competent authority, to the following—

- (i) the applicant,
- (ii) if appropriate, any person who made submissions or observations in relation to the application to the competent authority, or
- (iii) if appropriate, any party to an appeal or referral.

(b) Where a competent authority has determined that an appropriate assessment is required in respect of a proposed project it may direct in the notice issued under paragraph (a) that a Natura impact statement is required.

(c) Paragraph (a) shall not apply in a case where the application for consent for the proposed project was accompanied by a Natura impact statement.

(7) A competent authority shall, as soon as may be after making the Land use plan or making a decision in relation to the application for consent for proposed project, make available for inspection by members of the public during office hours at the offices of the authority, and may also publish on the internet —

(a) any determination that it makes in relation to a draft Land use plan under subsection (4) or (5) as the case may be, and reasons for that determination, and

(b) any notice that it issues under subsection (6) in relation to a proposed project.(8) In this section ‘consent for proposed project’ means, as appropriate —

- (a) a grant of permission,
- (b) a decision of the Board to grant permission on a planning application or an appeal,
- (c) consent for development under Part IX,
- (d) approval for development that may be carried out by a local authority under Part X or Part XAB or development that may be carried out under Part XI,
- (e) approval for development on the foreshore under Part XV,
- (f) approval for development under section 43 of the Act of 2001,
- (g) approval for development under section 51 of the Roads Act 1993, or
- (h) a substitute consent under Part XA.

(9) In deciding upon a declaration or a referral under section 5 of this Act a planning authority or the Board, as the case may be, shall where appropriate, conduct a screening for appropriate assessment in accordance with the provisions of this section.

(10) In deciding upon an application under section 176A or a determination review or an application referral under section 176C, a planning authority or the Board, as the case may be, shall, where

appropriate, conduct a screening for appropriate assessment in accordance with the provisions of this section.

Natura impact report and natura impact statement

Section 177T states that— (1) (a) A Natura impact report means a statement for the purposes of Article 6 of the Habitats Directive, of the implications of a Land use plan, on its own or in combination with other plans or projects, for one or more than one European site, in view of the conservation objectives of the site or sites.

(b) A Natura impact statement means a statement, for the purposes of Article 6 of the Habitats Directive, of the implications of a proposed development, on its own or in combination with other plans or projects, for one or more than on European site, in view of the conservation objectives of the site or sites.

(2) Without prejudice to the generality of subsection (1) , a Natura impact report or a Natura impact statement, as the case may be, shall include a report of a scientific examination of evidence and data, carried out by competent persons to identify and classify any implications for one or more than one European site in view of the conservation objectives of the site or sites.

(3) As respects a draft National Planning Framework, the Government shall prepare a Natura impact report in relation to a draft Land use plan and the following bodies shall also prepare a Natura impact report in relation to a draft Land use plan—

(a) as respects a draft regional spatial and economic strategy, the regional assembly for whose area the draft strategy is made,

(aa) as respects a draft National Planning Framework, the Minister

(b) as respects a draft planning scheme in respect of all or any part of a strategic development zone, the planning authority (which term shall be construed in accordance with section 168(5)) for whose area the draft scheme is made,

(c) as respects a draft development plan or draft variation of a development plan, the planning authority for whose area the draft plan or draft variation is made, and

(d) as respects a draft local area plan, the planning authority in whose area the local area concerned is situate.

(4) The applicant for consent for proposed development may, or if directed in accordance with subsection (5) by a competent authority, shall furnish a Natura impact statement to the competent authority in relation to the proposed development.

(5) At any time following an application for consent for proposed development a competent authority may give a notice in writing to the applicant concerned, directing him or her to furnish a Natura impact statement

(6) Where an applicant for consent for proposed development who, having been directed in accordance with subsection (5) , fails to furnish a Natura impact statement within the period specified in the notice, or any further period as may be specified by the competent authority, the application for consent for the proposed development shall be deemed to be withdrawn.

(7) (a) Without prejudice to subsection (1) a Natura impact report or a Natura impact statement shall include all information prescribed by regulations under section 177AD .

(b) Where appropriate, a Natura impact report or a Natura impact statement shall include such other information or data as the competent authority considers necessary to enable it to ascertain if the draft Land use plan or proposed development will not affect the integrity of the site.